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28     Attorneys for Defendants ALARM.COM  
1     INCORPORATED and ALARM.COM  
2     HOLDINGS, INC.

3     **UNITED STATES DISTRICT COURT**  
4     **NORTHERN DISTRICT OF CALIFORNIA**  
5     **OAKLAND DIVISION**

6     ABANTE ROOTER AND PLUMBING,  
7     INC., GEORGE ROSS MANESIOTIS,  
8     MARK HANKINS, and PHILIP J.  
9     CHARVAT, individually and on behalf of all  
10    others similarly situated,

11     Plaintiffs,

12     v.

13     ALARM.COM INCORPORATED, and  
14     ALARM.COM HOLDINGS, INC.,

15     Defendants.

16     Case No.: 4:15-CV-06314-YGR

17     **DEFENDANTS' ADMINISTRATIVE**  
18     **MOTION TO FILE UNDER SEAL**

19     Judge: Hon. Yvonne Gonzalez Rogers  
20     Hearing Date: July 24, 2018  
21     Time: 2:00 pm  
22     Courtroom: Courtroom 1, 4th Floor

23     4:15-CV-06314-YGR

24     **DEFENDANTS' ADMINISTRATIVE**  
25     **MOTION TO FILE UNDER SEAL**

1 To the Clerk of the Northern District of California and all parties and their attorneys of record:

2 PLEASE TAKE NOTICE that, pursuant to Local Rules 79-5 and 7-11, Defendants Alarm.com  
3 Incorporated and Alarm.com Holdings, Inc. (together, "Alarm.com") seek leave to file under seal the  
4 documents described herein. This Administrative Motion is supported by the Declaration of Margaret  
5 Schuchardt.

6 **ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

7 Defendants seek to maintain as confidential and file under seal Exhibits 1, 9 and 13 to the  
8 Declaration of Martin Jaszczuk in Support of Defendants' Motion for Summary Judgment, and also seek  
9 to redact portions of Defendants' Memorandum of Points and Authorities in Support of Motion for  
10 Summary Judgment and Separate Statement of Undisputed Facts in Support of Motion for Summary  
11 Judgment that reference these confidential Exhibits. In compliance with Civil Local Rule 79-5(b),  
12 which requires requests to seal to "be narrowly tailored to seek sealing only of sealable material,"  
13 Defendants only seek to seal limited information as follows:

- 14 a. Exhibit 1 contains the Dealer Agreement between Alarm.com and Alliance Security, Inc.  
15 ("Alliance"). The Dealer Agreement contains non-public pricing and other confidential  
16 contractual information.
- 17 b. Exhibit 9 contains excerpts of the transcript of the deposition of Steve Trundle, the Chief  
18 Executive Officer of Alarm.com. Mr. Trundle's testimony contains information concerning  
19 confidential internal strategy, operations, and business decisions; confidential  
20 communications; and other non-public information regarding Alarm.com's contractual  
21 relationships with entities who are not parties to this lawsuit.
- 22 c. Exhibit 13 contains a communication between nonparty Alliance (formerly Versatile  
23 Marketing Solutions, Inc.) and the Federal Trade Commission, which has been designated  
24 confidential by Alliance.

25 Rule 26(c) of the Federal Rules of Civil Procedure provides broad discretion for a trial court to  
26 permit sealing of court documents for, *inter alia*, the protection of "a trade secret or other confidential  
27 research, development, or commercial information." Fed. R. Civ. P. 26(c)(1)(G). Courts allow material

1 to be sealed in cases where, as here, parties' confidential information would otherwise be made public  
2 and available to competitors. *See, e.g., GPNE Corp. v. Apple Inc.*, No. 12-CV-02885-LHK, 2015 U.S.  
3 Dist. LEXIS 92773, at \*6-7 (N.D. Cal. July 16, 2015). Defendants submit that Exhibits 1, 9 and 13 are  
4 appropriately considered confidential and respectfully request that the Court grant this administrative  
5 motion to seal.

6 Dated: May 1, 2018

7 Respectfully submitted,

8  
9 By: /s/ Martin W. Jaszcuk  
10 Martin W. Jaszcuk (*pro hac vice*)  
11 Daniel I. Schlessinger (*pro hac vice*)  
12 Margaret M. Schuchardt (*pro hac vice*)  
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25 *Attorneys for Defendants Alarm.com  
26 Incorporated and Alarm.com Holdings, Inc.*

**CERTIFICATE OF SERVICE**

I, Martin W. Jaszcuk, hereby certify that on May 1, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties registered to receive electronic service in the above-captioned matter.

Dated: May 1, 2018

Respectfully submitted,

By: /s/ Martin W. Jaszcuk  
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Margaret M. Schuchardt (*pro hac vice*)  
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